

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

WILLIAM PLUMMER,

Plaintiff,

v.

E. CADEN, et.al.,

Defendants.

CV F- 04-6770 AWI DLB P

ORDER DENYING PLAINTIFF'S
MOTION TO VACATE ORDER
DENYING MOTION TO
SUBSTITUTE ATTORNEY
[DOC # 31]

Plaintiff is proceeding pro se and in forma pauperis with a civil rights action pursuant to 42 U.S.C. sec. 1983. On September 13, 2005, this Court denied plaintiff's motion for a court order substituting the Prison Law Office as his attorney in this case. Plaintiff has now filed a motion to vacate that order. As plaintiff has been advised, the Court has no authority to require counsel to represent indigent prisoners in § 1983 cases. Mallard v. United States District Court, 490 U.S. 296 (1989). From the attachments to plaintiff's motions, it appears that the Prison Law Office has declined to represent him. This Court has no authority to grant the relief requested by plaintiff. His motion to vacate the September 13, 2005 Order is therefore DENIED.

IT IS SO ORDERED.

Dated: September 6, 2006
3b142a

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE